

August 20, 2015

Regional Freedom of Information Officer  
U.S. EPA, Region 10  
Office of Ecosystems, Tribal and Public Affairs  
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BY ELECTRONIC MAIL

Sirs/Madams:

I am writing to request materials to inform the development of news features for Al Jazeera America, a U.S.-based news network with bureaus in 12 cities across the United States. Pursuant to the federal Freedom of Information Act, 5 U.S.C. 552, I request to review the following materials:

-Records of all communications between the Bureau of Ocean and Energy Management and the U.S. Environmental Protection Agency regarding air emissions requirements for offshore drilling in Alaska from September 1, 2013 to the present, including those that pertain both to Shell Oil's current exploration plan in the Chukchi Sea and to any new air quality standards being developed by BOEM for offshore activities in the Arctic.

I anticipate a discussion of the classes of records the agency believes may be responsive to this request before the request is completely fulfilled, so that I might further specify the records that will be helpful in the reporting of a news story or stories on this topic.

If you regard any of these records as exempt from disclosure, I request that you exercise your discretion to disclose them (unless otherwise prohibited from doing so). If you deny this request in whole or in part, I ask that you justify all deletions by reference to specific exemptions of the Act, and that you provide all non-exempt portions that are reasonably segregable.

The records disclosed pursuant to this request will be used in the preparation of news articles for Al Jazeera America for dissemination to the public.

Communication about this request should be directed to me at the following address, phone number and email:

E-mail: [madeline.ostrander@nasw.org](mailto:madeline.ostrander@nasw.org)  
Address: 4111 19<sup>th</sup> Avenue Southwest, Seattle, WA 98106  
Tel: (206) 612-3322

As a news media representative, I ask you to please waive any applicable fees. In the following paragraphs I will address EPA's guidelines on fee waivers. I understand that this is a separate process from my FOIA request. So I ask you to initiate both processes simultaneously. In other words, please start processing this time-sensitive FOIA request itself as you are doing the fee-waiver request. In the event you disallow my fee-waiver request, I pledge to pay the price of fulfilling the request in an amount up to \$150. This paragraph should serve to authorize you to begin to accrue such charges, pending a decision on the fee-waiver request.

This FOIA request is to gather vital information on the activities of the EPA and BOEM that are important to the public's understanding of how the agencies oversee air quality in the Arctic, and what its findings are in relation to this time-sensitive news story. Below I will specifically address the fee-waiver guidelines:

- 1) The EPA and BOEM's activities concerning the regulation of air emissions in the Arctic clearly will help to reveal how the agencies are doing their work to protect the environment during the exploration and development of offshore energy.
- 2) This information is very likely to contribute to the public's understanding of government operations in that it will inform the public about how the agencies are approaching regulating emissions from both Shell's activities and the implications for future offshore activities in the Arctic.
- 3) This information will help the public understand how both EPA and BOEM are carrying out their responsibilities.
- 4) I have no commercial interest in this disclosure. My news story or stories will appear under contract for Al Jazeera America whether this information is included or not, and my work on the story or stories is already financially supported by a grant from the Fund for Investigative Journalism, a not-for-profit organization that supports journalism in the public interest. Disclosure of the information will, however, greatly improve the context in which the story or stories are reported and, therefore, significantly enhance the public's understanding of the impact and regulation of air emissions in the Arctic.

I believe this request qualifies for expedited treatment because Shell has already begun activities in the Arctic region, and any air emissions standards currently under development by BOEM, in consultation with the EPA, may affect Shell's operations and other future offshore activities in that region, so there is an urgency to inform the public about an actual or alleged federal government activity. Below my signoff, please see my certified statement regarding this request for expedited review.

Please remember that disclosure of this information is time-sensitive. Thank you in advance for moving expeditiously on this request.

Sincerely,



Madeline Ostrander  
(206) 612-3322

I, Madeline Ostrander do hereby certify that the following facts are correct and true to the best of my knowledge and belief:

- 1) I am on contract with Al Jazeera America as a journalist and contributor, and I have been employed full-time as a journalist since 2007. I qualify as “a person primarily engaged in disseminating information to the public.”
- 2) Since 2007, my stories have appeared in Al Jazeera America, The Nation, PBS NOVA Next, The NewYorker.com, YES! Magazine and in numerous other publications and websites. In that time, I have worked extensively on environmental and science journalism.
- 3) Al Jazeera America is a nationwide news network launched in August 2013 with a goal to provide a voice to the voiceless and bring underreported stories to an American audience. It is headquartered in New York City with bureaus in 12 cities across the United States. My stories are published online on the Al Jazeera website, which reaches more than 3 million users per month.
- 4) The permitting of offshore drilling in Alaska may lead to environmental impacts associated with black carbon emissions and other pollutants. It is in the public’s interest to better understand how these impacts are being managed.
- 5) Little information about BOEM’s plans for regulating air emissions from Arctic drilling — or the handoff between the two agencies on air permitting and standards — has been discussed in the news media or made available to inform the public.
- 6) This request qualifies for expedited review because there is clearly “an urgency to inform the public about an actual or alleged federal government activity.”

I hereby certify that the foregoing facts are correct and true to the best of my knowledge and belief.



Madeline Ostrander  
August 20, 2015